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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/740,266

12/18/2003

Christian Auclair

4384-000067/CO

2270

27572 7590 03/20/2009
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EXAMINER

FETTEROLF, BRANDON J

ART UNIT

PAPER NUMBER

1642

MAIL DATE

DELIVERY MODE

03/20/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10740266 | 12/18/03 | AUCLAIR ET AL. | 4384-000067/CO |

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EXAMINER

BRANDON J. FETTEROLF

| ART UNIT | PAPER |
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| 1642 | 20090316 |
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DATE MAILED:

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Commissioner for Patents

The reply filed on 2/27/2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amendment filed on 2/27/2009 has changed the scope of the invention elected on 12/04/2006 in response to the restriction requirement of 11/27/2006. For example, in the response filed on 12/04/2006 to the restriction requirement of 11/27/2006, Applicants elected a nucleic acid molecule comprising cDNA of a zyxin gene, fragment thereof or a complementary sequence. However, the amendment presented 2/27/2009 only recites claims limited to dolastatin 11, which is non-elected invention, e.g, a cyclic peptide. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Brandon J Fetterolf/
Primary Examiner, Art Unit 1642